

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19 CR 28 MR WCM

UNITED STATES OF AMERICA,

v.

RODNEY DEJUAN ALLISON

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ORDER

This matter is before the Court on Defendant's Motions for Admission *Pro Hac Vice* and Affidavits ("Motions") filed by Stephen P. Lindsay on behalf of James Gabriel Banks, Jr. and William H. Thomas. Docs. 315 & 316.

In response to the undersigned's Order of June 23, 2021 (Doc. 317), Mr. Lindsay has filed a "Notice of Appearance of Counsel – Local Counsel" (Doc. 318) which states that he has been retained to serve as local counsel and that his appearance "is limited in nature and is not a general appearance as counsel for the defendant." The Georgia attorneys for whom Mr. Lindsay has submitted the *pro hac vice* motions, Mr. Banks and Mr. Thomas, will be, according to the Notice, "general counsel for the defendant."

The Notice cites no authority to support the position that it would be appropriate to allow Mr. Lindsay to enter a limited appearance for Defendant in these circumstances. Likewise, the Local Rules of this district do not contemplate that local counsel will have such limited responsibilities. See

Local Civil Rule 83.1(b)(1) (requiring that a candidate for admission *pro hac vice* associate local counsel and be accompanied by local counsel at all hearings unless otherwise permitted by the Court).

If Mr. Lindsay wishes to enter a general appearance on behalf of Defendant, and then request the *pro hac vice* admission of Mr. Banks and Mr. Thomas as additional counsel, who would also be entering general appearances for Defendant, he may do so. In such a scenario, all three attorneys would be responsible for the representation of Defendant.

However, particularly in this matter where issues between Defendant and his attorneys have arisen previously, and where Defendant is currently represented by appointed counsel, the undersigned concludes that a “limited appearance” by Mr. Lindsay as local counsel is not sufficient to support the *pro hac vice* admission of Mr. Banks and Mr. Thomas.

Accordingly, Defendant’s Motions for Admission *Pro Hac Vice* and Affidavits (Docs. 315 & 316) are **DENIED WITHOUT PREJUDICE**.

Mr. Scheer’s representation of Defendant remains in place.

It is so ordered.

Signed: June 24, 2021



W. Carleton Metcalf
United States Magistrate Judge

